



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION I
 5 POST OFFICE SQUARE, SUITE 100
 BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

JUN 25 2010

Mr. Rick Belden
 Chatfield-LoPresti Building Committee on behalf of
 Seymour Public Schools
 98 Bank Street
 Seymour, Connecticut 06483-2892

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a), 761.62,
 and 761.79(h)
 Chatfield Elementary School, Seymour Connecticut

Dear Mr. Belden:

This is in response to your Notification¹ for approval of a proposed PCB cleanup for the Chatfield Elementary School located at 51 Skokorat Street, Seymour, Connecticut (the Site). The Site contains PCB-contaminated materials that exceed the allowable PCB levels under the federal PCB regulations at 40 CFR §§ 761.20, 761.61(a), and 761.62. Specifically, PCBs have been identified in caulk and glazing around windows and doors; in the building concrete and brick substrate; on *non-porous surfaces* (e.g. steel lintels, window frames, etc); in asphalt; and, in soils.

In the Notification, Seymour Public Schools (Seymour) has requested cleanup of the PCB contamination under the self implementing cleanup and disposal option (SIP) at § 761.61(a) and the alternative decontamination option at § 761.79(h). Seymour is proposing the following PCB cleanup standards and activities under this project:

- Removal and disposal of PCB caulk and the PCB glazing with greater than or equal to (\geq) 50 parts per million (ppm);
- Removal and disposal of windows, doors, and other *non-porous surfaces* in contact with or containing the \geq 50 ppm PCB caulk and/or glazing;

¹ Information was submitted on behalf of Seymour by Fuss & O'Neill EnviroScience, LLC to satisfy the notification requirements under 40 CFR §§ 761.61(a)(3) and 761.79(h). Information was provided dated February 25, 2010 (SIP); April 30, 2010 (revised SIP); June 3, 2010 (revised SIP); and June 17, 2010 (clarification on *non porous surface* cleanup standard via e-mail). These submissions will be referred to as the "Notification."

- Removal and disposal of PCB-contaminated *porous surfaces* (e.g. concrete, brick, etc) with greater than or equal to (\geq) 1 part per million (ppm);
- Removal and disposal of PCB-contaminated soil and asphalt with ≥ 1 ppm;
- Decontamination of certain *non-porous surfaces* (i.e. inaccessible steel lintels) to the NACE Visual Standard No. 2 or to less than or equal to (\leq) $10 \mu\text{g}/100 \text{ cm}^2$, which is consistent with the decontamination requirements for *non-porous surfaces* in a *high occupancy area* under § 761.61(a)(4); and,
- Disposal of PCB wastes in a TSCA-approved disposal facility or RCRA hazardous waste landfill, with the exception of certain soils with less than ($<$) 50 ppm PCBs.

With respect to the windows and/or doors which have caulk at PCB concentrations at less than ($<$) 50 ppm, Seymour has determined that the caulk meets the definition of an *Excluded PCB Product* as defined at 40 CFR § 761.3. As such, cleanup and disposal of this caulk is not addressed in this Approval. While this caulk and associated surrounding building materials are not addressed under this Approval, in its Notification Seymour has indicated that the caulk will be removed and disposed of and that the surrounding substrates will be cleaned to ≤ 1 ppm.

Please be aware that should Seymour determine that the caulk containing < 50 ppm PCBs does not meet the criteria for an *Excluded PCB Product*, it shall be regulated as *PCB bulk product waste*, and shall require management in accordance with 40 CFR Part 761.

Based on the EPA's review, the information provided in the Notification meets the notification requirements under 40 CFR §§ 761.61(a)(3) and 761.79(h). Seymour may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a); 761.62; 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

Please be aware that this Approval requires Seymour to conduct outreach activities for the school community and the neighborhood on the remediation work. This outreach effort shall be coordinated with EPA and the Connecticut Department of Environmental Protection (ConnDEP), including the ConnDEP Environmental Justice Coordinator (see Attachment 1, Condition 12).

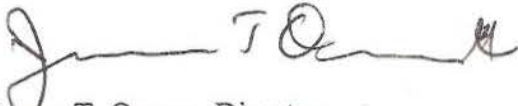
Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

As indicated in the Notification, the proposed activities are estimated to be completed by September 2011. Seymour will be conducting indoor air and wipe sampling during June 2010 to determine what, if any, interim measures will be necessary until the PCB cleanup work is completed. EPA will require that Seymour provide the results of this sampling for a determination on the interim measures that may need to be implemented prior to the new school year.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in dark ink, appearing to read 'James T. Owens', with a stylized flourish at the end.

James T. Owens, Director
Office of Site Remediation and Restoration

Attachment 1

cc: B. May, F&O
G. Trombly, ConnDEP
File

ATTACHMENT 1.

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
SEYMOUR PUBLIC SCHOOLS/CHATFIELD ELEMENTARY SCHOOL
51 SKOKORAT STREET
SEYMOUR, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Chatfield Elementary School and identified in the Notification.
2. Seymour Public Schools (Seymour) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. Seymour must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during PCB cleanup and disposal activities authorized under this Approval, Seymour shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. Seymour is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time Seymour has or receives information indicating that it or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by Seymour are authorized to conduct the activities set forth in the Notification. Seymour is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release Seymour from compliance with any applicable requirements of federal, state or local law; or 3) release Seymour from liability for, or otherwise resolve, any violations of federal, state or local law.

CERTIFICATION AND NOTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from Seymour of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. Seymour shall notify EPA in writing of the scheduled date of commencement of on-site activities at least 1 business day prior to conducting any work under this Approval.
11. Prior to initiating onsite work under this Approval, Seymour shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected abatement/remediation contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected contractor(s), detailing the procedures that will be employed for cleanup of PCB-contaminated materials and for containment and monitoring during remediation activities. This work plan should also include information on waste storage, handling, and disposal for each waste stream type; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the analytical and quality assurance requirements specified in the Notification and in this Approval.

CLEANUP AND DISPOSAL CONDITIONS

12. Seymour shall conduct outreach activities for the school community and the neighborhood on the remediation work. This outreach effort shall be coordinated with EPA and the Connecticut Department of Environmental Protection (ConnDEP), including the ConnDEP Environmental Justice Coordinator. Seymour shall submit information on its outreach activities within 45 days of receipt of this Approval.

13. PCB-contaminated materials shall be decontaminated as described below:
- a. The decontamination standard for building *non-porous surfaces* (i.e. metal lintels that will be inaccessible following window replacement) shall be as follows:
 - i) NACE Visual Standard No. 2; or,
 - ii) All visible residues of PCB caulk shall be removed to the extent practical, and surface wipe samples shall be collected in accordance with Subpart P.
 - (1) The decontamination wipe standard for *non-porous surfaces* shall be less than or equal to (\leq) $10 \mu\text{g}/100 \text{ cm}^2$.
 - (2) All post-decontamination verification sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e. $\mu\text{g}/100 \text{ cm}^2$).
 - (3) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to Subpart Q.
 - iii) For decontaminated *non-porous surfaces* that have PCB concentrations exceeding the decontamination standard, Seymour may conduct additional decontamination to achieve the required decontamination standard or must store and dispose of these materials as TSCA-regulated waste in accordance with 40 CFR Part 761.
 - b. The PCB cleanup standard for building *porous surfaces* (e.g. concrete, brick, etc.) shall be ≤ 1 part per million (ppm).
 - i) All visible residues of PCB caulk shall be removed, to the extent practical.
 - ii) All post-decontamination verification sampling of *porous surfaces* shall be performed on a bulk basis (i.e. mg/Kg) and analytical results shall be reported on a dry weight basis. Samples shall be collected according to EPA's draft Standard Operating Procedure For Sampling Concrete in the Field, dated 12/30/97 to a maximum depth of 0.5 inches. Samples shall be collected every five (5) linear feet as described in the Notification.
 - iii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction and/or analytical method(s) is validated according to Subpart Q.

- iv) For decontaminated *porous surfaces* that have PCB concentrations exceeding the decontamination standard, Seymour may conduct additional decontamination to achieve the required decontamination standard.
- c. The PCB cleanup standard for asphalt and for soils shall be ≤ 1 ppm.
 - i) Asphalt samples shall be collected according to EPA's draft Standard Operating Procedure For Sampling Concrete in the Field, dated 12/30/97 to a maximum depth of 0.5 inches and in accordance with 40 CFR Part 761, Subpart O sampling frequency requirements, if applicable.
 - ii) Soil samples shall be collected on a bulk basis (i.e. mg/Kg) and PCB analytical results shall be reported on a dry weight analysis. Sampling shall be conducted in accordance with 40 CFR Part 761, Subpart O.
 - iii) Chemical extraction for PCBs shall be conducted using Method 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to Subpart Q.
- d. Post-abatement indoor air sampling and indoor surface sampling for PCBs shall be conducted to verify the effectiveness of the containment methods that were used during the abatement/remedial activities.
 - i) Indoor air sampling shall be conducted in accordance with EPA Method TO-10A. Sufficient sample volumes shall be collected to provide a minimum laboratory reporting limit of $< 0.05 \mu\text{g}/\text{m}^3$. At a minimum, PCB analysis shall include PCB homologues and/or PCB congeners.
 - ii) Wipe sampling of indoor horizontal surfaces (e.g. floors, desk tops (as applicable)) shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR §761.123 (i.e. $\mu\text{g}/100 \text{ cm}^2$). Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to 40 CFR Part 761, Subpart Q. The minimum laboratory reporting limit shall be $1 \mu\text{g}/100 \text{ cm}^2$.
 - iii) Analytical results of the post-abatement air and surface sampling shall be submitted to EPA within 10 business days of Seymour's receipt of the results. The results of this sampling shall be compared to the pre-abatement sampling results that will be collected in June 2010.

14. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
15. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) and § 761.62, unless otherwise specified below:
 - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

16. Seymour shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by Seymour to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
17. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
18. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
19. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

20. Seymour shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by Seymour in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
21. Seymour shall submit a final report to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the decontaminated area(s); copies of manifests and/or bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.
22. As required under Condition 13.d. the analytical results of the post-abatement air and surface sampling shall be submitted to EPA within 10 business days of Seymour's receipt of the results.
23. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
24. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1

